

AMENDED IN ASSEMBLY MAY 26, 2000
AMENDED IN ASSEMBLY MARCH 9, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1738

Introduced by Assembly Member Washington

January 10, 2000

An act to amend Sections 32228 and 32228.1 of, and to add Section 32228.4 to, the Education Code, relating to school safety, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, as amended, Washington. Educational counseling.

Existing law establishes the Carl Washington School Safety and Violence Prevention Act, which requires the Superintendent of Public Instruction to provide funds to school districts and county offices of education serving pupils in any of grades 8 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence and other specified purposes.

This bill would expand the School Safety and Violence Prevention program to school districts and county offices of education that serve pupils in kindergarten or grades 1 to 12, inclusive, and expand the specified purposes for which funds may be appropriated to participating school districts and county offices of education. The bill would expand upon the goals of the act, as intended by the Legislature. ~~The bill would~~

~~also appropriate \$100,000,000 to the Superintendent of Public Instruction for allocation exclusively to school districts or county offices of education for the purposes of the act and authorize the allocation of 1% of the appropriated funds to the Superintendent of Public Instruction for administrative costs and technical assistance required by the act. The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.~~

Vote: majority. Appropriation: yes no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 32228 of the Education Code is
2 amended to read:
3 32228. (a) It is the intent of the Legislature that
4 public schools serving pupils in kindergarten or grades 1
5 to 12, inclusive, have access to supplemental resources
6 that provide additional personnel and services to
7 establish programs and strategies that promote school
8 safety and emphasize violence prevention among
9 children and youth in the public schools.
10 (b) It is further the intent of the Legislature that
11 schoolsites receiving funds pursuant to this article
12 accomplish all of the following goals:
13 (1) Teach pupils techniques for resolving conflicts
14 without violence.
15 (2) Train school staff and administrators to support
16 and promote conflict resolution and mediation
17 techniques for resolving conflicts between and among
18 pupils.
19 (3) Reduce incidents of violence at the schoolsite.
20 (4) Reduce the ratio of pupils to credentialed pupil
21 services personnel. For purposes of this article, credential
22 pupil services personnel shall include, but not be limited
23 to, school counselors, school psychologists, school social
24 workers, and school nurses.

(5) Promote and increase pupil participation in peer programs.

SEC. 2. Section 32228.1 of the Education Code is amended to read:

32228.1. (a) The School Safety and Violence Prevention Act is hereby established. This statewide program shall be administered by the Superintendent of Public Instruction, who, *subject to funds being appropriated therefor*, shall provide funds to school districts serving pupils in kindergarten or grades 1 to 12, inclusive, for the purpose of promoting school safety and reducing schoolsite violence. As a condition of receiving funds pursuant to this article, an eligible school district shall certify, on forms and in a manner required by the Superintendent of Public Instruction, that the funds will be used as described in this section.

(b) From funds appropriated in the annual Budget Act or any other measure, funds shall be allocated to school districts on the basis of prior year enrollment, as reported by the California Basic Educational Data System, of pupils in kindergarten or grades 1 to 12, inclusive, for any one or more of the following purposes:

(1) Providing schools with personnel, including, but not limited to, licensed or certificated school counselors, school social workers, school nurses, and school psychologists, who are trained in conflict resolution. Any law enforcement personnel hired pursuant to this article shall be trained and sworn peace officers.

(2) Providing effective and accessible on-campus communication devices and other school safety infrastructure needs.

(3) Establishing an in-service training program for school staff to learn to identify at-risk pupils, to communicate effectively with those pupils, and to refer those pupils to appropriate counseling.

(4) Establishing cooperative arrangements with local law enforcement agencies for appropriate school-community relationships.

(5) Establishing youth-to-youth peer programs at schoolsites, including, but not limited to, peer mediation,

1 peer helpers, conflict managers, peer education, and peer
2 tutoring.

3 (6) For any other purpose that the school or school
4 district determines that would materially contribute to
5 meeting the goals and objectives of current law in
6 providing for safe schools and preventing violence among
7 pupils.

8 SEC. 3. Section 32228.4 is added to the Education
9 Code, to read:

10 32228.4. (a) If any school district chooses not to
11 participate individually in the program authorized under
12 this article, or if funding available through the program
13 authorized under this article would be insufficient to
14 conduct the program in accordance with the
15 requirements of this article, that district may form a
16 consortium with other school districts to participate in the
17 program and shall be subject to the provisions of this
18 article to the same extent as an individual school district.

19 (b) If a school district chooses not to participate in the
20 program authorized under this article either individually
21 or as part of a consortium, that portion of funding that the
22 school district would have received for the program shall
23 be distributed on a pro rata basis to participating school
24 districts.

25 ~~SEC. 4. The sum of one hundred million dollars~~
26 ~~(\$100,000,000) is hereby appropriated from the General~~
27 ~~Fund to the Superintendent of Public Instruction for~~
28 ~~allocation exclusively to school districts authorized for the~~
29 ~~purposes of funding the activities and full participation of~~
30 ~~the school districts as set forth in Article 3.6 (commencing~~
31 ~~with Section 32228) of Chapter 2 of Part 19 of the~~
32 ~~Education Code. To perform the duties of this section, up~~
33 ~~to 1 percent of the total funds appropriated for purposes~~
34 ~~of this section may be allocated to the Superintendent of~~
35 ~~Public Instruction for administrative costs and technical~~
36 ~~assistance.~~